

Message Text

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ACTION OPIC-12

INFO OCT-01 NEA-10 ISO-00 EB-11 AID-20 L-03 SSO-00 /057 W

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O 200842Z APR 74

FM AMEMBASSY KABUL

TO SECSTATE WASHDC NIACT IMMEDIATE 7580

UNCLAS KABUL 2362

E.O. 11652: N/A

TAGS: EFIN, AF

SUBJECT: YAQUB LEATHER INDUSTRIES INC.

REF: A. STATE 073207; B. STATE 078284

FOR OPIC

1. EMBOFFS RAU AND MCGAFFEY UNABLE TO MAKE TELEPHONE CONNECTIONS WITH OPIC PER REFTEL B. ASSUME LAWYER TARAKI'S REPORT MAILED APRIL 13 AND HIS RESPONSE TO REFTEL A WHICH FOLLOWS ELIMINATE NEED FOR CALL.

2. LAWYER TARAKI GAVE FOLLOWING RESPONSE KEYED TO NUMBERED PARAGRAPHS OF REFTEL A.
QUOTE 1. IN MY OPINION CONDITIONS SPECIFIED IN SECTION 4 SHOULD BE SATISFIED BEFORE THE LOAN IS EXECUTED AND IT IS A "MUST". THERE ARE MANY IMPORTANT DOCUMENTS THERE WITHOUT WHICH THE LOAN CANNOT STAND ON SOLID AND SECURE LEGAL GROUND.

2. IN THIS ITEM (ITEM 2) OF THE CABLE IT IS SAID "...FORM OF LOAN AGREEMENT DRAFT OF MARCH 19, 1974...", HOWEVER THE DRAFT I HAVE IS DATED MARCH 21, 1974. IT IS MENTIONED THOUGH, THAT IT IS THE REDRAFT OF MARCH 19, 1974. THIS FORM IS FINE, AND NO CHANGES ARE CONSIDERED APPROPRIATE.

3. INVOICES HAVE BEEN MAILED TO OPIC ON APRIL 8, 1974. THEY ARE ON THEIR WAY TO WASHINGTON. STATEMENT OF "IMMEDIATE PAYMENT" MENTIONED IN THE CABLE IS APPRECIATED.

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4. I WILL BE MORE THAN HAPPY TO COMMUNICATE DIRECTLY. HOWEVER,(A) THROUGH THE EMBASSY THE CORRESPONDENCE IS MORE EFFICIENT AND RELIABLE. ESPECIALLY MR. RAU AND MR. MCGAFFEY HAVE BEEN SO HELPFUL FOR THE PROJECT; THEY HAVE DONE AN EXCELLENT JOB OF RELAYING YOUR MESSAGES - QUESTIONS ON LEGAL MATTERS TO ME AND SENDING MY ANSWERS TO YOU. IN FACT MANY TIMES I HAVE PROVIDED ANSWERS TO YOUR QUESTIONS CONCERNING LEGAL MATTERS THROUGH MR. MCGAFFEY. FOR THE SAKE OF EXPEDIENCY, HOWEVER, MR. MCGAFFEY AND I HAVE COMMUNICATED BY TELEPHONE; THE ANSWERS WERE PROVIDED AND SENT TO YOU. (B) IF YOU HAVE ANY QUESTIONS WHICH YOU WOULD LIKE TO BE ANSWERED DIRECTLY, I WILL BE GLAD TO DO SO. (C) I HAVE BEEN IN CONSTANT TOUCH WITH THE YAQUB GROUP AND THEIR LAWYER, MR. FAZILI. IN FACT SOME DAYS MR. FAZILI AND I HAVE BEEN WORKING FOR HOURS TO WORK ON PROVISIONS OF SECTION 4 ESPECIALLY. (D) I HAVE BEEN HELPING THEM (YAQUBS AND FAZILI) IN MANY MATTERS CONCERNING THE PROJECT, AND THEY KNOW THEY CAN FEEL FREE TO CALL ON ME AT ANY TIME; WHICH INDEED THEY HAVE DONE FREQUENTLY. I AM WORKING ACTIVELY ON THIS PROJECT, ENJOYING DOING IT, AND AM PLEASED TO CONTINUE IT.

5. PLEASE REFER TO MY COMMENTS SENT TO YOU SPECIAL DELIVERY AND ALSO MAILED TO OPIC ON APRIL 13, 1974. SINCE THEN I HAVE AGAIN TALKED TO DR. FAZILI (YCL'S ATTORNEY) AND HE HAS DEFINITELY AGREED THAT TAXES OF REGISTRATION, SUQUQ AND OTHERS BASED ON AFGHAN COMMERCIAL CUSTOMS ARE ON THE BORROWER AND HE SAID YLC WILL PAY IT. CONCERNING TAXES ON INTEREST, MY OPINION STANDS AS I HAVE EXPRESSED IT IN THE ABOVE MENTIONED COMMENTS SENT TO YOU. UNQUOTE.
ELIOT

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